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| By: Raquel C. West | Date: 10/08/08 |

PATENT
 Attorney Docket No.. 2002P12618US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|----------------------------------|-----------------------------|
| In re Application: |) |
| |) |
| Christopher Jude Amies et al. |) |
| |) Group Art Unit: 3737 |
| |) |
| U.S. Application Serial |) |
| No.: 10/808,215 |) |
| |) Examiner: Lamprecht, Joel |
| Filed: March 24, 2004 |) |
| |) Confirmation No.: 3926 |
| For: ACTIVE THERAPY REDEFINITION |) |

AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This Amendment responds to the Office Action mailed August 8, 2008. This Amendment was not earlier presented because it responds to new arguments presented by the Examiner regarding the rejection based on Kapatoes et al. In addition, the present Amendment amends a number of the claims in a manner suggested by the Examiner in order to respond to the rejections based on 35 U.S.C. § 112, second paragraph. Since the rejections under § 112 have been overcome, the issues have been reduced for appeal. It is not believed that the present Amendment will require a new search to be made on the part of the Examiner. Accordingly, please amend claims 1, 12, 13, 17, 21, 22 and 25-27 as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 11 of this paper.